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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:21-cr-00111-WBS
)	
<i>Plaintiff,</i>)	REPLY TO UNITED STATES'
)	OPPOSITION TO DEFENDANT'S MOTION
vs.)	IN LIMINE #4 (TO EXCLUDE EVIDENCE
)	REGARDING QUALITY OF EMERGENCY
ROBERT ALLEN POOLEY)	PROCEDURES TRAINING)
)	
<i>Defendant.</i>)	Date: April 29, 2024
)	Time: 9:00 A.M.
)	Judge: Hon. William B. Shubb

The government apparently misunderstands what the defense is seeking to exclude. The defense is not seeking to exclude all evidence of the contents of the Tandem Instructor course that Mr. Pooley allegedly taught. Instead, Mr. Pooley seeks to exclude evidence regarding the quality of emergency procedures training he provided, such as whether that training complied with applicable standards or was otherwise satisfactory. Specifically, Mr. Pooley is referring to statements the government has elicited from witnesses regarding the quality of the emergency procedures training provided and opinions about the training in relation to other trainings they have received. *See, e.g.*, Dkt. 50, Ex. 18 (discussing whether Mr. Pooley's training was adequate, in witness's opinion), Ex. 20. (comparing Mr. Pooley's training to another instructor's).

It appears the government does not oppose this request. As the government states, Mr. Pooley is not being prosecuted for being a poor teacher. Thus, the Court should grant his Motion

1 *in Limine* #4 and exclude all evidence or testimony regarding the quality of the emergency
2 procedures training, including any opinions of the training in relation to other trainings received.

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4 Dated: April 22, 2024

HEATHER E. WILLIAMS
Federal Defender

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6 /s/ Meghan McLoughlin
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